

**RECEIVED**  
**UNITED STATES DISTRICT COURT**  
**MIDDLE DISTRICT OF ALABAMA**

DAVID SYLVESTER SAMSON,

DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

CASE NO. 2:07-cv-397-ID

Plaintiff,

\*

v.

\*

**PETITION FOR HEARING ON  
NATURALIZATION APPLICATION  
UNDER 8 U.S.C. § 1447(b)**

\*

*MICHAEL CHERTOFF*, Secretary of the  
Department of Homeland Security;

\*

*EMILIO GONZALEZ*, Acting Director U.S.  
Citizenship and Immigration Services;

\*

*DENIS RIORDAN*, Atlanta District Director,  
U.S. Citizenship and Immigration Services;

\*

*ROBERT S. MUELLER, III*, Director of  
Federal Bureau of Investigation,

\*

\*

Defendants.

\*

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COMES NOW, David Sylvester Samson, Plaintiff in the above-styled and numbered cause,  
and for cause of action would show unto the Court the following:

1. This action is brought for a hearing to decide Plaintiff's naturalization application due to Defendant's failure to adjudicate the application within one hundred twenty (120) days after the first examination in violation of the Immigration and Nationality Act ("INA") § 336(b) and 8 U.S.C. § 1447(b).

**PARTIES**

2. Plaintiff, a resident of Elmore County, Alabama, David Sylvester Samson, applied for naturalization to the United States and was interviewed for his naturalization application on April

11, 2006. Defendants have failed to make a decision on the application within one hundred twenty (120) days after the examination.

3. Defendant, Michael Chertoff, is the Secretary of the Department of Homeland Security (DHS), and this action is brought against him in his official capacity. He is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the DHS. 8 U.S.C. § 1103(a); 8 C.F.R. § 2.1.

4. Defendant, Emilio Gonzalez, is the Acting Director of the United States Citizenship and Immigration Service (USCIS), an agency within the DHS to whom the Secretary's authority has in part been delegated and is subject to the Secretary's supervision. Defendant Director is generally charged with the overall administration of benefits and immigration services. 8 C.F.R. § 100.2(a).

5. Defendant, Denis Riordan, Atlanta District Director, is an official of the USCIS generally charged with supervisory authority over all operations of the USCIS within his District with certain specific exceptions not relevant here. 8 C.F.R. § 100.2(d)(2)(ii). As will be shown, Defendant Director is the official with whom Plaintiff's naturalization application remains pending.

6. Defendant, Robert S. Mueller, III, is Director of the Federal Bureau of Investigations (FBI, the law enforcement agency that conducts security clearances for other U.S. government agencies, such as the Department of State. As will be shown, Defendant has failed to complete the security clearances on Plaintiff's case.

### **JURISDICTION**

7. Jurisdiction in this case is proper under INA § 336(b) and 8 U.S.C. § 1447(b). Relief is requested pursuant to said statutes.

### **VENUE**

8. Venue is proper in this Court, pursuant to 8 U.S.C. § 1447(b), in that Plaintiff may request a hearing on the matter in the District where Plaintiff resides.

### **CAUSE OF ACTION**

9. Plaintiff is a lawful permanent resident (A# 76957614) of the United States. Plaintiff filed an N-400, Application for Naturalization with the U.S. Citizenship and Immigration Services and was interviewed by USCIS's Atlanta District sub-office on April 11, 2006. Subsequently, Plaintiff submitted additional information in the form of an Affidavit on December 7, 2006. (Exhibit 1).

10. Based on the letter dated March 29, 2007 from the USCIS Atlanta District sub-office, Plaintiff was informed that his Application of Naturalization is still pending for the completion of all necessary background checks. (Exhibit 2).

11. Plaintiff's Application for Naturalization has now remained adjudicated for more than a year from the date of the interview.

12. Defendants have sufficient information to determine Plaintiff's eligibility pursuant to applicable requirements.

13. Defendants, in violation of 8 U.S.C. § 1446, have failed to make a determination on Plaintiff's naturalization application within the one hundred twenty (120) day period after the date of examination .

### **PRAYER**

14. WHEREFORE, in view of the arguments and authority noted herein, Plaintiff respectfully prays that the Defendants be cited to appear herein and that, upon due consideration, the

Court enter an order adjudicating the naturalization application. In the alternative, the Court may remand requiring Defendants to immediately adjudicate Plaintiff's naturalization application. In addition, Plaintiff requests an award of reasonable attorney's fees under the Equal Access to Justice Act and such other relief at law and in equity as justice may require.

Dated: May 4, 2007

Respectfully submitted,



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JOHN R. PARKER (PARKJ0923)  
Attorney for Plaintiff  
820 S. University Boulevard, Suite 2-F  
Mobile, Alabama 36609  
Telephone: (251) 341-1020  
Facsimile: (251) 341-1235

**LIST OF ATTACHMENTS**

<u>Exhibit</u>	<u>Description</u>
1	Affidavit of David Sylvester Samson
2	March 29, 2007 letter from the USCIS Atlanta District Sub-Office

# EXHIBIT 1

STATE OF ALABAMA

COUNTY OF Montgomery

AFFIDAVIT OF DAVID SYLVESTER SAMSON

Before me the undersigned authority in and for said State and County personally appeared David Sylvester Samson, who being on oath by me duly sworn doth depose and say as follows:

1. My name is David Sylvester Samson, I currently reside at 7 Clayton Street, Apt. 7-H, Montgomery, Alabama 36104. I have personal knowledge of the matters set forth herein and certify, under penalty of perjury under the laws of the United States of America, that the foregoing information is true and correct in its entirety.
2. On January 3, 2006, I completed an Application for Naturalization, a copy of which is attached hereto as Exhibit 1 to this Affidavit, wherein, among other things, I indicated my date of birth was September 4, 1968.
3. I submitted the information with regard to my date of birth based upon the information I had at the time of filling out the application, which I have now determined to be inaccurate. My date of birth is actually September 4, 1967, as evidenced by my Birth Certificate, a copy of which is attached hereto as Exhibit 2.
4. I was under the mistaken impression that my birth date was September 4, 1968 based upon the fact that other documents, to include my driver's license and passport, reflected a birth date of September 4, 1968. However, in speaking with my parents and in obtaining my Birth Certificate, I now know that the September 4, 1968 birth date is in error and that my actual date of birth as reflected in my Birth Certificate is September 4, 1967.

5. Further Affiant sayeth not.

Dated this 7<sup>th</sup> day of DECEMBER, 2006.



DAVID SYLVESTER SAMSON

STATE OF ALABAMA

COUNTY OF Montgomery

I, the undersigned notary public in and for said state and county, hereby certify that David Sylvester Samson, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal this 7<sup>th</sup> day of December, 2006.

Maria Wright [NOTARY SEAL]  
NOTARY PUBLIC  
My commission expires: 12/25/2009

ALABAMA STATE AT LARGE  
NOTARY PUBLIC  
My Commission Expires  
January 25, 2009

U.S. Department of Justice  
Immigration and Naturalization Service

# Application for Naturalization

Print clearly or type your answers using CAPITAL letters. Failure to print clearly may delay your application. Use black or blue ink.

## Part 1: Your Name (The Person Applying for Naturalization)

Write your INS "A"- number here:

A 076957614

### A. Your current legal name.

Family Name (Last Name)

SAMSON

Given Name (First Name)

DAVID

Full Middle Name (If applicable)

SYLVESTER

### B. Your name exactly as it appears on your Permanent Resident Card.

Family Name (Last Name)

SAMSON

Given Name (First Name)

DAVID

Full Middle Name (If applicable)

SYLVESTER

### C. If you have ever used other names, provide them below.

Family Name (Last Name)

N/A

Given Name (First Name)

Middle Name

### D. Name change (optional)

Please read the Instructions before you decide whether to change your name.

1. Would you like to legally change your name? ☐ Yes ☒ No

2. If "Yes," print the new name you would like to use. Do not use initials or abbreviations when writing your new name.

Family Name (Last Name)

Given Name (First Name)

Full Middle Name

## FOR INS USE ONLY

Bar Code

Date Stamp

Remarks

Action

## Part 2: Information About Your Eligibility (Check Only One)

I am at least 18 years old AND

A. ☒ I have been a Lawful Permanent Resident of the United States for at least 5 years.

B. ☐ I have been a Lawful Permanent Resident of the United States for at least 3 years, AND I have been married to and living with the same U.S. citizen for the last 3 years, AND my spouse has been a U.S. citizen for the last 3 years.

C. ☐ I am applying on the basis of qualifying military service.

D. ☐ Other (Please explain) \_\_\_\_\_

EXHIBIT

1

IN 06 2006

## Part 3. Information About You

A 076957614

A. Social Security Number

418-31-0870

B. Date of Birth (Month/Day/Year)

09/04/1968

C. Date You Became a Permanent Resident (Month/Day/Year)

04/10/2001

D. Country of Birth

PAKISTAN

E. Country of Nationality

PAKISTAN

F. Are either of your parents U.S. citizens? (if yes, see Instructions)

☐ Yes☒ No

G. What is your current marital status?

☐ Single, Never Married☒ Married☐ Divorced☐ Widowed☐ Marriage Annulled or Other (Explain)

H. Are you requesting a waiver of the English and/or U.S. History and Government requirements based on a disability or impairment and attaching a Form N-648 with your application?

☐ Yes☒ No

I. Are you requesting an accommodation to the naturalization process because of a disability or impairment? (See Instructions for some examples of accommodations.)

☐ Yes☒ No

If you answered "Yes", check the box below that applies:

☐ I am deaf or hearing impaired and need a sign language interpreter who uses the following language:☐ I use a wheelchair.☐ I am blind or sight impaired.☐ I will need another type of accommodation. Please explain:

## Part 4. Addresses and Telephone Numbers

A. Home Address - Street Number and Name (Do NOT write a P.O. Box in this space)

7 CLAYTON STREET. APT. 7H

Apartment Number

7H

City

MONTGOMERY

County

MONTGOMERY

State

ALABAMA

ZIP Code

36104

Country

UNITED STATES.

B. Care of

DAVID SAMSON

Mailing Address - Street Number and Name (If different from home address)

SAME

Apartment Number

SAME

City

SAME

State

SAME

ZIP Code

SAME

Country

SAME

C. Daytime Phone Number (If any)

(334) 956-6034

Evening Phone Number (If any)

(334) 832-1050

E-mail Address (If any)

DAVIDSAMSON@YAHOO.COM

**Part 5. Information for Criminal Records Search**

Write your INS "A"- number here:

A 076957614

Note: The categories below are those required by the FBI. See Instructions for more information.

## A. Gender

☒ Male ☐ Female

## B. Height

6 Feet 2 Inches

## C. Weight

225 Pounds

## D. Are you Hispanic or Latino?

☐ Yes ☒ No

## E. Race (Select one or more.)

☐ White ☒ Asian ☐ Black or African American☐ American Indian or Alaskan Native☐ Native Hawaiian or Other Pacific Islander

## F. Hair color

☒ Black ☐ Brown ☐ Blonde ☐ Gray ☐ White ☐ Red ☐ Sandy ☐ Bald (No Hair)

## G. Eye color

☐ Brown ☐ Blue ☐ Green ☐ Hazel ☐ Gray ☒ Black ☐ Pink ☐ Maroon ☐ Other**Part 6: Information About Your Residence and Employment**

A. Where have you lived during the last 5 years? Begin with where you live now and then list every place you lived for the last 5 years. If you need more space, use a separate sheet of paper.

Street Number and Name, Apartment Number, City, State, Zip Code and Country	Dates (Month/Year)	
	From	To
Current Home Address - Same as Part 4.A	<u>03/2003</u>	Present
<u>110 POST OAK PLACE, WETUMPKA, AL 36093</u>	<u>04/2001</u>	<u>03/2003</u>
<u>155 SYLVEST DR, APT.105, MONTGOMERY, AL 36117</u>	<u>01/2000</u>	<u>04/2001</u>
	___/___/___	___/___/___
	___/___/___	___/___/___

B. Where have you worked (or, if you were a student, what schools did you attend) during the last 5 years? Include military service. Begin with your current or latest employer and then list every place you have worked or studied for the last 5 years. If you need more space, use a separate sheet of paper.

Employer or School Name	Employer or School Address (Street, City and State)	Dates (Month/Year)		Your Occupation
		From	To	
<u>REGIONS FIN. CORP.</u>	<u>8-COMMERCE STREET MONTGOMERY, AL 36104</u>	<u>01/2000</u>	<u>PRESENT</u>	<u>MAIN/NETWORK SECURITY ANA</u>
		___/___/___	___/___/___	
		___/___/___	___/___/___	
		___/___/___	___/___/___	
		___/___/___	___/___/___	

**Part 7. Time Outside the United States**

(Including Trips to Canada, Mexico, and the Caribbean Islands)

Write your INS "A" - number here:

A 076957614

A. How many total days did you spend outside of the United States during the past 5 years?

15 days

B. How many trips of 24 hours or more have you taken outside of the United States during the past 5 years?

1 trips

C. List below all the trips of 24 hours or more that you have taken outside of the United States since becoming a Lawful Permanent Resident. Begin with your most recent trip. If you need more space, use a separate sheet of paper.

Date You Left the United States (Month/Day/Year)	Date You Returned to the United States (Month/Day/Year)	Did Trip Last 6 Months or More?	Countries to Which You Traveled	Total Days Out of the United States
01/05/2004	01/21/2004	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ABU DHABI, U.A.E	15
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		
/ /	/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No		

**Part 8. Information About Your Marital History**

A. How many times have you been married (including annulled marriages)?

1 If you have NEVER been married, go to Part 9.

B. If you are now married, give the following information about your spouse:

1. Spouse's Family Name (Last Name)

SAMSON

Given Name (First Name)

KRISTY

Full Middle Name (If applicable)

LOVETT

2. Date of Birth (Month/Day/Year)

05/30/1972

3. Date of Marriage (Month/Day/Year)

03/27/1998

4. Spouse's Social Security Number

238-11-0209

5. Home Address - Street Number and Name

N/A

Apartment Number

N/A

City

N/A

State

N/A

ZIP Code

N/A

**Part 8. Information About Your Marital History (Continued)**

Write your INS "A"- number here:

A 076957614C. Is your spouse a U.S. citizen? ☒ Yes ☐ No

D. If your spouse is a U.S. citizen, give the following information:

1. When did your spouse become a U.S. citizen?

If "Other," give the following information:

2. Date your spouse became a U.S. citizen

N/A / /

3. Place your spouse became a U.S. citizen (Please see Instructions)

N/A

City and State

E. If your spouse is NOT a U.S. citizen, give the following information: N/A

1. Spouse's Country of Citizenship

N/A

2. Spouse's INS "A"- Number (If applicable)

A \_\_\_\_\_

3. Spouse's Immigration Status

☐ Lawful Permanent Resident☐ Other \_\_\_\_\_F. If you were married before, provide the following information about your prior spouse. If you have more than one previous marriage, use a separate sheet of paper to provide the information requested in questions 1-5 below. N/A

1. Prior Spouse's Family Name (Last Name)

N/A

Given Name (First Name)

Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

☐ U.S. Citizen☐ Lawful Permanent Resident☐ Other \_\_\_\_\_

3. Date of Marriage (Month/Day/Year)

\_\_\_\_/\_\_\_\_/\_\_\_\_

4. Date Marriage Ended (Month/Day/Year)

\_\_\_\_/\_\_\_\_/\_\_\_\_

5. How Marriage Ended

☐ Divorce☐ Spouse Died☐ Other \_\_\_\_\_G. How many times has your current spouse been married (including annulled marriages)? N/A

If your spouse has EVER been married before, give the following information about your spouse's prior marriage.

If your spouse has more than one previous marriage, use a separate sheet of paper to provide the information requested in questions 1 - 5 below.

1. Prior Spouse's Family Name (Last Name)

Given Name (First Name)

Full Middle Name (If applicable)

2. Prior Spouse's Immigration Status

☐ U.S. Citizen☐ Lawful Permanent Resident☐ Other \_\_\_\_\_

3. Date of Marriage (Month/Day/Year)

\_\_\_\_/\_\_\_\_/\_\_\_\_

4. Date Marriage Ended (Month/Day/Year)

\_\_\_\_/\_\_\_\_/\_\_\_\_

5. How Marriage Ended

☐ Divorce☐ Spouse Died☐ Other \_\_\_\_\_

**Part 9. Information About Your Children**

Write your INS "A" - number here:

A 0 7 6 9 5 7 6 1 4

A. How many sons and daughters have you had? For more information on which sons and daughters you should include and how to complete this section, see the Instructions.

0

B. Provide the following information about all of your sons and daughters. If you need more space, use a separate sheet of paper.

Full Name of Son or Daughter	Date of Birth (Month/Day/Year)	INS "A" - number (if child has one)	Country of Birth	Current Address (Street, City, State & Country)
N/A	___/___/___	A N/A	N/A	N/A
	___/___/___	A		
	___/___/___	A		
	___/___/___	A		
	___/___/___	A		
	___/___/___	A		
	___/___/___	A		
	___/___/___	A		

**Part 10. Additional Questions**

Please answer questions 1 through 14. If you answer "Yes" to any of these questions, include a written explanation with this form. Your written explanation should (1) explain why your answer was "Yes," and (2) provide any additional information that helps to explain your answer.

**A. General Questions**

1. Have you **EVER** claimed to be a U.S. citizen (in writing or any other way)?
2. Have you **EVER** registered to vote in any Federal, state, or local election in the United States?
3. Have you **EVER** voted in any Federal, state, or local election in the United States?
4. Since becoming a Lawful Permanent Resident, have you **EVER** failed to file a required Federal, state, or local tax return?
5. Do you owe any Federal, state, or local taxes that are overdue?
6. Do you have any title of nobility in any foreign country?
7. Have you ever been declared legally incompetent or been confined to a mental institution within the last 5 years?

- |                              |  |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

**Part 10. Additional Questions (Continued)**

Write your INS "A"- number here:

A 076957614**B. Affiliations**

8. a. Have you **EVER** been a member of or associated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place?

☐ Yes ☒ No

- b. If you answered "Yes," list the name of each group below. If you need more space, attach the names of the other group(s) on a separate sheet of paper.

Name of Group	Name of Group
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

9. Have you **EVER** been a member of or in any way associated (*either directly or indirectly*) with:

a. The Communist Party?

☐ Yes ☒ No

b. Any other totalitarian party?

☐ Yes ☒ No

c. A terrorist organization?

☐ Yes ☒ No

10. Have you **EVER** advocated (*either directly or indirectly*) the overthrow of any government by force or violence?

☐ Yes ☒ No

11. Have you **EVER** persecuted (*either directly or indirectly*) any person because of race, religion, national origin, membership in a particular social group, or political opinion?

☐ Yes ☒ No

12. Between March 23, 1933, and May 8, 1945, did you work for or associate in any way (*either directly or indirectly*) with:

☐ Yes ☒ No

a. The Nazi government of Germany?

☐ Yes ☒ No

b. Any government in any area (1) occupied by, (2) allied with, or (3) established with the help of the Nazi government of Germany?

☐ Yes ☒ No

c. Any German, Nazi, or S.S. military unit, paramilitary unit, self-defense unit, vigilante unit, citizen unit, police unit, government agency or office, extermination camp, concentration camp, prisoner of war camp, prison, labor camp, or transit camp?

**C. Continuous Residence**

Since becoming a Lawful Permanent Resident of the United States:

13. Have you **EVER** called yourself a "nonresident" on a Federal, state, or local tax return?

☐ Yes ☒ No

14. Have you **EVER** failed to file a Federal, state, or local tax return because you considered yourself to be a "nonresident"?

☐ Yes ☒ No

### D. Good Moral Character

For the purposes of this application, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record.

15. Have you **EVER** committed a crime or offense for which you were NOT arrested? ☐ Yes ☒ No
16. Have you **EVER** been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason? ☐ Yes ☒ No
17. Have you **EVER** been charged with committing any crime or offense? ☐ Yes ☒ No
18. Have you **EVER** been convicted of a crime or offense? ☐ Yes ☒ No
19. Have you **EVER** been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? ☐ Yes ☒ No
20. Have you **EVER** received a suspended sentence, been placed on probation, or been paroled? ☐ Yes ☒ No
21. Have you **EVER** been in jail or prison? ☐ Yes ☒ No

If you answered "Yes" to any of questions 15 through 21, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Why were you arrested, cited, detained, or charged?	Date arrested, cited, detained, or charged (Month/Day/Year)	Where were you arrested, cited, detained or charged? (City, State, Country)	Outcome or disposition of the arrest, citation, detention or charge (No charges filed, charges dismissed, jail, probation, etc.)

Answer questions 22 through 33. If you answer "Yes" to any of these questions, attach (1) your written explanation why your answer was "Yes," and (2) any additional information or documentation that helps explain your answer.

22. Have you **EVER**:
  - a. been a habitual drunkard? ☐ Yes ☒ No
  - b. been a prostitute, or procured anyone for prostitution? ☐ Yes ☒ No
  - c. sold or smuggled controlled substances, illegal drugs or narcotics? ☐ Yes ☒ No
  - d. been married to more than one person at the same time? ☐ Yes ☒ No
  - e. helped anyone enter or try to enter the United States illegally? ☐ Yes ☒ No
  - f. gambled illegally or received income from illegal gambling? ☐ Yes ☒ No
  - g. failed to support your dependents or to pay alimony? ☐ Yes ☒ No
23. Have you **EVER** given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal? ☐ Yes ☒ No
24. Have you **EVER** lied to any U.S. government official to gain entry or admission into the United States? ☐ Yes ☒ No

## Part 10. Additional Questions (Continued)

Write your INS "A"- number here:

A 0 7 6 9 5 7 6 1 4

## E. Removal, Exclusion, and Deportation Proceedings

25. Are removal, exclusion, rescission or deportation proceedings pending against you? ☐ Yes ☒ No
26. Have you **EVER** been removed, excluded, or deported from the United States? ☐ Yes ☒ No
27. Have you **EVER** been ordered to be removed, excluded, or deported from the United States? ☐ Yes ☒ No
28. Have you **EVER** applied for any kind of relief from removal, exclusion, or deportation? ☐ Yes ☒ No

## F. Military Service

29. Have you **EVER** served in the U.S. Armed Forces? ☐ Yes ☒ No
30. Have you **EVER** left the United States to avoid being drafted into the U.S. Armed Forces? ☐ Yes ☒ No
31. Have you **EVER** applied for any kind of exemption from military service in the U.S. Armed Forces? ☐ Yes ☒ No
32. Have you **EVER** deserted from the U.S. Armed Forces? ☐ Yes ☒ No

## G. Selective Service Registration

33. Are you a male who lived in the United States at any time between your 18th and 26th birthdays in any status except as a lawful nonimmigrant? ☐ Yes ☒ No

If you answered "NO", go on to question 34.

If you answered "YES", provide the information below.

If you answered "YES", but you did NOT register with the Selective Service System and are still under 26 years of age, you must register before you apply for naturalization, so that you can complete the information below:

Date Registered (Month/Day/Year)

Selective Service Number

If you answered "YES", but you did NOT register with the Selective Service and you are now 26 years old or older, attach a statement explaining why you did not register.

## H. Oath Requirements (See Part 14 for the text of the oath)

Answer questions 34 through 39. If you answer "No" to any of these questions, attach (1) your written explanation why the answer was "No" and (2) any additional information or documentation that helps to explain your answer.

34. Do you support the Constitution and form of government of the United States? ☒ Yes ☐ No
35. Do you understand the full Oath of Allegiance to the United States? ☒ Yes ☐ No
36. Are you willing to take the full Oath of Allegiance to the United States? ☒ Yes ☐ No
37. If the law requires it, are you willing to bear arms on behalf of the United States? ☒ Yes ☐ No
38. If the law requires it, are you willing to perform noncombatant services in the U.S. Armed Forces? ☒ Yes ☐ No
39. If the law requires it, are you willing to perform work of national importance under civilian direction? ☒ Yes ☐ No

## Part 1. Your Signature

Write your INS "A" - number here:

A 076951014

I certify, under penalty of perjury under the laws of the United States of America, that this application, and the evidence submitted with it, are all true and correct. I authorize the release of any information which INS needs to determine my eligibility for naturalization.

Your Signature

Date (Month/Day/Year)

01/03/2006

## Part 12. Signature of Person Who Prepared This Application for You (if applicable)

I declare under penalty of perjury that I prepared this application at the request of the above person. The answers provided are based on information of which I have personal knowledge and/or were provided to me by the above named person in response to the exact questions contained on this form.

Preparer's Printed Name

Preparer's Signature

Date (Month/Day/Year)

Preparer's Firm or Organization Name (if applicable)

Preparer's Daytime Phone Number

( )

Preparer's Address - Street Number and Name

City

State

ZIP Code

Do Not Complete Parts 13 and 14 Until an INS Officer Instructs You To Do So

## Part 13. Signature at Interview

I swear (affirm) and certify under penalty of perjury under the laws of the United States of America that I know that the contents of this application for naturalization subscribed by me, including corrections numbered 1 through \_\_\_\_\_ and the evidence submitted by me numbered pages 1 through \_\_\_\_\_, are true and correct to the best of my knowledge and belief.

Subscribed to and sworn to (affirmed) before me

Officer's Printed Name or Stamp

Date (Month/Day/Year)

Complete Signature of Applicant

Officer's Signature

## Part 14. Oath of Allegiance

If your application is approved, you will be scheduled for a public oath ceremony at which time you will be required to take the following oath of allegiance immediately prior to becoming a naturalized citizen. By signing, you acknowledge your willingness and ability to take this oath:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen;

that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

that I will bear true faith and allegiance to the same;

that I will bear arms on behalf of the United States when required by the law;

that I will perform noncombatant service in the Armed Forces of the United States when required by the law; and

that I will perform work of national importance under civilian direction when required by the law; and

that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God.

Printed Name of Applicant

Complete Signature of Applicant

1. Date, hour of birth	4.9.67. at. 8.A.M.
2. Name of child	Baby Mrs. Samson (David)
3. Sex of child	Male
4. Whether born alive or still born.	Alive.
5. Name of father (Block letters).	SAMSON
6. Name of mother (Block letters).	MARY
7. Caste or religion of the father.	Christian.
8. Place of residence of the father (mother).	KARACHI, 2 Dr Pandia Building
9. Occupation or profession of the father.	P. Service.
10. Name of attending Physician.	



Signature of Attending Physician.

Signature of Registrar.

A large, stylized handwritten signature in black ink, appearing to read "Sadique Jafarey".

Dr. (Mrs.) Sadique Jafarey,  
M.B.D.S.; M.R.C.O.G.  
Registrar, J.P.M.C.,  
Karachi.

## EXHIBIT 2



U.S. Citizenship  
and Immigration  
Services

DAVID SYLVESTER SAMSON  
C/O JOHN R. PARKER  
820 SOUTH UNIVERSITY BLVD.  
BUILDING 2, SUITE F  
MOBILE, ALABAMA 36609

Atlanta District Director  
U.S. Department of Homeland Security  
2150 PARKLAKE DRIVE  
ATLANTA, GA 30345

DATE: MARCH 29, 2007  
A# 76957614  
RE: STATUS INQUIRY

This office has received your correspondence. We realize that your application is very important therefore, to serve you more efficiently; this informal method enables us to provide a more prompt response. Currently, we are processing Applications for Naturalization received \_\_\_\_\_. Applications must be processed in the order in which they are filed.

- \_\_\_ You will be notified by mail when further action has been taken on your case.
- \_\_\_ Please include your **immigration file number** (A#) on your correspondence and return it to our office. Also include your birth date, and social security number if available.
- \_\_\_ Your address change has been completed.
- \_\_\_ Your immigration file has been requested from:
- \_\_\_ Your immigration file has been transferred to:
- X\_\_\_ Your case is awaiting ( ) review ( ) documents ( X ) background checks.
- \_\_\_ Your case was administratively closed on \_\_\_\_\_. If it is has been less than one year since the closing date, you may request a Service Motion to Reopen.
- \_\_\_ Your case was denied on \_\_\_\_\_.

Other:

**REMEMBER:** If you change your address, notify this office in writing and mail form AR-11 to:  
US Department of Homeland Security  
Citizenship and Immigration Services  
PO Box 7134  
London, KY 40742-7134

Remember to put your A number on all correspondences. Thank you for your time and patience.  
BCIS/122004